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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 JOSEPH MICHAEL DONNETTE-
11 SHERMAN,

12 Plaintiff,

13 v.

14 STATE OF WASHINGTON,

15 Defendants.

CASE NO. 3:17-CV-05600-BHS-DWC

REPORT AND RECOMMENDATION

Noting Date: October 13, 2017

16 The District Court has referred this action filed under 42 U.S.C. § 1983 to United States
17 Magistrate Judge David W. Christel. Plaintiff Joseph Michael Donnette-Sherman, proceeding
18 *pro se*, initiated this civil rights action on July 28, 2017. *See* Dkt. 1. On August 9, 2017, the
19 Court screened Plaintiff's Complaint and found it was deficient. Dkt. 3. The Court ordered
20 Plaintiff to correct the deficiencies by September 11, 2017. *Id.* The Court warned that failure to
21 file an amended complaint or adequately address the issues identified in the Order would result
22 in the Court recommending dismissal of this action pursuant to 28 U.S.C. § 1915. *Id.*

23 Plaintiff has failed to comply with the Court's Order. He has not filed a response to the
24 Order or attempted to file an amended complaint. As Plaintiff has failed to respond to the Court's

1 Order and prosecute this case, the Court recommends this case be dismissed without prejudice.
2 The Court also recommends Plaintiff's Motion to Proceed *In Forma Pauperis* (Dkt. 1) be denied
3 as moot.

4 Pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal Rules of Civil
5 Procedure, the parties shall have fourteen (14) days from service of this Report to file written
6 objections. *See also* Fed. R. Civ. P. 6. Failure to file objections will result in a waiver of those
7 objections for purposes of appeal. *Thomas v Arn*, 474 U.S. 140 (1985). Accommodating the time
8 limit imposed by Rule 72(b), the Clerk is directed to set the matter for consideration on October
9 13, 2017, as noted in the caption.

10 Dated this 22nd day of September, 2017.

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13 David W. Christel
14 United States Magistrate Judge
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